## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

3:14-cv-365-FDW (3:05-cr-371; 3:07-cr-61)

CHAVIUS MARQUETTE BARBER,	)
Petitioner,	)
vs.	) ORDER
KENNY ATKINSON,	)
Respondent.	) ) _)

This matter is before the Court on the Government's Motion to Stay. (Doc. No. 45). The Government filed a petition for certiorari in <u>United States v. Wheeler</u>, 734 F. App'x 892 (4th Cir. 2018) on October 3, 2018. This matter is hereby stayed pending resolution of <u>Wheeler</u>. The Government shall notify this court within 45 days of the resolution of <u>Wheeler</u>.

IT IS HEREBY ORDERED that the Motion to Stay, (Doc. No. 45), is **GRANTED**.

Signed: October 11, 2018

Frank D. Whitney

Chief United States District Judge